

UNITED STATES DISTRICT COURT

for

**EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

U.S.A. vs. Brenda C. Lewis

Docket No. 5:04-CR-58-2BO

Petition for Action on Supervised Release

COMES NOW Julie Wise Rosa, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Brenda C. Lewis, who, upon an earlier plea of guilty to Bank Robbery and Aiding and Abetting, in violation of 18 U.S.C. §§ 2113(a) and (2), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 28, 2004, to the custody of the Bureau of Prisons for a term of 84 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
2. The defendant shall provide the probation office with access to any requested financial information.
3. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Brenda C. Lewis was released from custody on December 3, 2010, at which time the term of supervised release commenced. On November 4, 2011, the defendant was sentenced to 30 days custody, suspended, with 12 months unsupervised probation for a Simple Worthless Check conviction in Wayne County, North Carolina. She did not report this conviction to the probation office. Additionally, on April 10, 2012, Lewis was convicted of three additional counts of Simple Worthless Check in Johnston County, North Carolina. She was sentenced to 10 days custody, suspended, with 12 months probation. Lastly, the defendant was charged with Communicating Threats in Lenoir County. She failed to report this arrest to the probation office; however, the charge was dismissed. Based upon her convictions for Simple Worthless Check, the probation officer respectfully requests that the defendant be placed in the Home Detention Program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

Brenda C. Lewis
Docket No. 5:04-CR-58-2BO
Petition For Action
Page 2

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to her residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The defendant shall pay for electronic monitoring services as directed by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain

Michael C. Brittain
Senior U.S. Probation Officer

/s/Julie Wise Rosa

Julie Wise Rosa
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: January 24, 2013

ORDER OF COURT

Considered and ordered this 25 day of January, 2013, and ordered filed and made a part of the records in the above case.

Terrence Boyle

Terrence W. Boyle
U.S. District Judge